

# The Spokesman Review

## Spokane to host congressional hearing on environmental law

**New task force will meet  
Saturday on Riverpoint  
campus**

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The cornerstone of the nation's environmental laws will be put under a microscope Saturday when a small piece of Congress comes to Spokane.

A newly formed congressional task force on the National Environmental Policy Act will hold its first hearing on the Riverpoint campus just east of downtown, a nod to its chairwoman, U.S. Rep. Cathy McMorris.

"Nobody is suggesting repealing NEPA. My goal is just to take a look," said McMorris.

The freshman congresswoman said she believes the once "visionary" law has become "a lawsuit nightmare" but added she has no predetermined outcome.



McMorris

### if you go

#### NEPA hearing

- The National Environmental Policy Act Task Force will hold its first field hearing at 10 a.m. Saturday at the Phase I Building Auditorium, WSU, 688 N. Riverpoint Blvd. in Spokane.
- Testimony is limited to invited speakers, but the public can submit written testimony, either at the hearing, by mailing it to the task force, or by using the group's Web site, <http://resourcescommittee.house.gov/nepataskforce.htm>.

The mere fact that the House would appoint a group to look at the 35-year-old law has some environmental groups manning the barricades.

The Sierra Club is sponsoring a one-minute radio ad that extols the law's ability to keep government from doing things in haste that create long-term problems for local residents. The task force is another example of the Bush administration's assault on the environment, along with expediting energy projects, drilling in the Arctic National Wildlife Refuge and accelerated highway projects, said Chase Davis, a spokesman for the Sierra Club's local chapter.

"Our concern is, under the guise of modernizing NEPA, they are going to cut out the public," he said, noting that only invited witnesses will be allowed to testify at Saturday's hearing.

Also unhappy about the rules for the hearing is Republican Benton County Commissioner Claude Oliver, a member of a group from the Tri-Cities that is fighting the U.S. Department of Energy over the shutdown of the Fast Flux Test Facility.

"You are doing an injustice to the people of Washington state that elected you by not opening up the meeting to the public," Benton said in a message faxed to McMorris' office. Although the hearing is scheduled to go until 1 p.m., he suggested the task force members stay until midnight if necessary to hear the public's concerns.

McMorris said Wednesday the session will be like most congressional hearings, which don't have a public comment period. It has a range of invited experts, some from government, some from business and some with established environmental credentials.

"This isn't a town hall meeting; this is a hearing where we seek input from people who have some expertise in NEPA," she said.

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Saturday's witness list includes executives from Vaagen Brothers Lumber, Coeur d'Alene Mines Corp. and the Pacific Seafood Group. Other witnesses include Spokane County Commissioner John Roskelley, Janine Blaeloch of the Western Land Exchange Project in Seattle, and Paul Fish, the president of Mountain Gear.

Although the 22-member task force was created by California Republican Richard Pombo, who is openly critical of NEPA, it also includes Democratic Rep. George Miller of California, one of the law's chief defenders.

A key feature of NEPA is the requirement that a federal project have an environmental impact statement to discuss various alternatives and their effects on the location where a project is proposed. Such reports have become integral parts of other federal environmental laws, such as the Endangered Species Act.

Challenges over the completeness of those impact statements can lead to federal lawsuits and, when they aren't properly done, court orders to stop a project until corrections are made.

"When NEPA is used to delay, or results in conflict or confrontation, or ends up in court, there may be better ways we can ensure a protected environment," McMorris said.

But Davis argued the law also stops the federal government rushing ahead with bad projects, and forces them to make improvements. It has been instrumental in projects ranging from the cleanup at the Hanford Nuclear Reservation to the widening of U.S. 95 in Idaho.

"It's an effective tool for keeping government in check," he said.